IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

Bail Appl..No. 2042 of 2007

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CRMP.940/2007 of SESSIONS COURT,KOLLAM
CMP.824/2007 of J.M.F.C., SASTHAMCOTTA
CRIME NO.79/2007 OF CHAVARA THEKKUMBHAGAM POLICE STATION

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PETITIONER/ACCUSED 1 AND 2.

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1. THOMAS, S/O.ROBERT,
MAMMOOTTIL KADAVIL VEEDU,
MANDROTHURUTH, EAST KALLADA VILLAGE.

2. BIJU, S/O.BENNECHEN,
KARACKOTTU PADINJATTATHIL, ARINALLOOR MURI,
THEVALAKKARA VILLAGE.

BY ADV. SRI.A.RAJASIMHAN

RESPONDENTS: COMPLAINANT.

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SUB INSPECTOR OF POLICE,
CHAVARATHEKKUMBHAGAM POLICE STATION REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V.RAMKUMAR, J.**

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Bail Application No. 2042/2007

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Dated this 9th day of April, 2007

**O R D E R**

The petitioners, who are accused Nos. 1 and 2 in Crime No.79/2007 of Chavara Thekkumbhagam police station for offences punishable under Sections 302 and 341 IPC read with Section 34 IPC, seek their enlargement on bail. The occurrence took place on 3.3.2007 at about 8.00 p.m when the deceased, Anjelose, was allegedly assaulted with sticks resulting in his sustaining fatal injuries to which he succumbed. The petitioners were arrested on the same day.

2. Having regard to the nature of the offences and the other circumstances of the case, I am inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M, Sasthamcotta and subject to the following conditions:

(a). The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

(d). The petitioners shall not commit any offence while on bail.

3. If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

The application is allowed as above.

**V.RAMKUMAR,**
**JUDGE**

mrcs